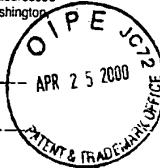


I hereby certify that this correspondence is being filed by depositing it with the United States Postal Service as first class mail in an envelope with sufficient postage and addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on the date indicated below.

Date: 8 April 2000  
Signed: PKZ  
Peter K. Trzyna (Reg. No. 32,601)



PATENT

Paper No.

Our File No. Freeling-P1-99

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Kenneth A. Freeling  
Serial No. : 09/455,823  
Filed : December 6, 1999  
For : DIGITAL COMPUTER SYSTEM AND METHODS FOR  
CONDUCTING A POLL TO PRODUCE A  
DEMOGRAPHIC PROFILE CORRESPONDING TO  
AN ACCUMULATION OF RESPONSE DATA FROM  
ENCRYPTED IDENTITIES  
Group Art Unit : 2766  
Examiner : Unknown

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Group 2700

Assistant Commissioner of Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

S I R :

This Information Disclosure Statement is being filed pursuant to the duty of disclosure, candor, and good faith embodied in 37 C.F.R. §§ 1.56 and 1.97 owed by the inventor, the inventor's assignee substantively involved in the application, and the patent attorney to the United States Patent and Trademark Office. Submitted herewith are patents, publications, and other information of which the inventor is aware to help make this information of record.

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**I. COMMENT ON THE ENCLOSED PRIOR ART**

While the Information Disclosure Statement and the patents, publications, and other information provided hereby may be "material" pursuant to 37 C.F.R. §§ 1.56, it is not intended that these constitute an admission of "prior art" for this invention unless expressly designated as such. Although a search has been made of United States patents, and the inventor has added other information in the specification, this Information Disclosure Statement shall not be construed to mean that no other material information, as defined in 37 C.F.R. §§ 1.56, exists.

**A. General**

The section of the patent application subtitled "Background of the Invention" identifies material believed to be material to, or of interest in, the examination of the application and provides a concise explanation of the material. This Information Disclosure Statement also transmits information that the Examiner is respectfully requested to independently to consider in the examination of the application. The Examiner is also requested to initial as indicated in the attached Form PTO-1 449 if a citation is considered and draw a line through a citation not considered, and include a copy of Form PTO-1449 with the next communication to counsel for the Applicant. Enclosed is a copy of every patent or other document uncovered in a search conducted as specified in the Petition to Make Special that is enclosed herewith.

Generally, the known prior art seems to have focussed more on voting, polling, and/or encryption, rather than the claimed production of a demographic file corresponding to an accumulation of the response data, to the extent more particularly set out below.

**A1 U.S. Patent No. 5,218,528**

U.S. Patent No. 5,218,528 teaches a computerized voting system. More particularly, the '528 patent teaches an automated voting system that integrates the stages of registering and certifying voters and collecting their votes. A computer-based voter registration station accesses a database to verify that the voter is eligible to vote. Vote entry stations provide a computer-based interactive graphic interface for permitting the voter to enter votes. A vote entry controller activates and monitors the vote entry stations to prevent unauthorized voting. Votes may be collected at either the vote entry stations or at the vote entry controller to which they are downloaded, which enhances security by providing a means to compare votes collected at one point in the system with votes collected at another point.

Applicant contends that the '528 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A2 U.S. Patent No. 5,710,884**

U.S. Patent No. 5,710,884 teaches a computerized voting system. More particularly, the '884 patent teaches a method and an apparatus of storing and updating electronic information in a personal profile server for an individual user, and dynamically changing the residence of the electronic information. The electronic information is being transmitted between a computer and a network system. The computer interfaces with a removable non-volatile storage computer interfaces with a removable non-volatile storage device containing minimum user information and on the individual user. The connection is secure between the computer and the network using the minimum user information. Additional user information is transmitted from the personal profile server of the network to the computer. Further, the personal profile server is updated with updates to the additional user information generated on the computer during use.

Applicant contends that the '884 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A3    U.S. Patent No. 5,754,938**

U.S. Patent No. 5,754,938 teaches a pseudonymous server for system for customized electronic identification of desirable objects. More particularly, the '938 patent teaches customized electronic identification of desirable objects, such as news articles, in an electronic media environment, and in particular to a system that automatically constructs both a "target profile" for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as "target profile interest summary", for each user, which target profile interest summary describes the user's interest level in various types of target objects. The system then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of target objects, which were automatically selected by this system from the plethora of target objects that are profiled on the electronic media. Users' target profile interest summaries can be used to efficiently organize the distribution of information in a large scale system consisting of many users interconnected by means of communication network. Additionally, a cryptographically-based pseudonym proxy server is provided to ensure the privacy of a user's target profile

interest summary, by giving the user control over the ability of third parties to access this summary and to identify or contact the user.

Applicant contends that the '938 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A4 U.S. Patent No. 5,758,325**

U.S. Patent No. 5,758,325 teaches an electronic voting system. More particularly, the '325 patent teaches an electronic voting system includes a central judges' station having a detachable flash memory cartridge for use in storing election data. The data contents of the memory cartridge are shadowed by identical storage in separate flash memory module. The memory cartridge is retained by a password-protected solenoid lock mechanism to preserve the integrity of election results. The station is networked to a plurality of voting booths that provide ballot elections to the judges' station.

Applicant contends that the '325 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A5 U.S. Patent No. 5,860,023**

U.S. Patent No. 5,860,023 teaches an electric polling and communications system. More particularly, the '023 patent teaches a polling and communications device permits a speaker to interact with an audience in data or voice modes. Questions can be transmitted to the speaker in data form. Alternatively, the speaker can selectively activate a wireless microphone for a particular member of the audience in response to an indication, sent over a data channel that a user has a question. Alternatively, a user can record a voice message and store it in memory for transmission over a data link. Information about a questioner is provided to the speaker from information stored during registration for the event and may also be provided to the audience.

Applicant contends that the '023 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the

demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A6    U.S. Patent No. 5,875,432**

U.S. Patent No. 5,875,432 teaches an electronic voting system in which voter profiles are maintained in a secure manner. More particularly, the '528 patent teaches a computerized voting information system that encompasses one or more voting stations, at least one tabulation center and certification center, and a plurality of voters so as to automatically verify, manipulate, interchange, and manage, all data and information that is needed by the voting stations to determine if a particular voting card is authentic and a voter is entitled to cast his/her vote, by tabulation centers to perform the tabulation of the casted votes, by certification centers to guarantee the authenticity of the voting cards and the legitimacy of the card holders, and by voters to provide their identity and voting eligibilities. See particularly Col. 7, line 24 – Col. 8, line 23.

Applicant contends that the '432 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A7    U.S. Patent No. 5,878,399**

U.S. Patent No. 5,878,399 teaches an electronic voting system in which voter demographic data are maintained in a secure manner. More particularly, the '399 patent teaches a computerized voting system has a central computer, regional computers and voting modules connected to a data transfer link for communication with one another. The voting modules access the central computer database under control of the central computer control center. Voter data is created at one of the voting modules and communicated to the database for storage. Input voter data for a given voter at any one of the plurality of voting modules during an election is compared to the stored data from the given voter to verify that the given voter is eligible to vote. Access to the stored voter data for the given voter during an election is restricted to prevent the given voter from voting more than once during the election.

Applicant contends that the '399 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the

demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A8. U.S. Patent No. 5,889,935**

U.S. Patent No. 5,889,935 teaches a system for disaster control with remote monitoring. More particularly, the 935 patent teaches two data storage systems are interconnected by a data link for remote mirroring of data. Each volume of data is configured as local, primary in a remotely mirrored volume pair, or secondary in a remotely mirrored volume pair. Normally, a host computer directly accesses either a local or a primary volume, and data written to a primary volume is automatically sent over the link to a corresponding secondary volume. Each remotely mirrored volume pair can operate in a selected synchronization mode including synchronous, semi-synchronous, adaptive copy remote---write pending, and adaptive copy---disk. Each write request transmitted over the link between the data storage systems includes not only the data for at least one track in the secondary volume to be updated but also the current "invalid track" count for the secondary volume as computed by the data storage system containing the corresponding primary volume. Therefore, once a disaster occurs that destroys the data storage system containing the primary volume, the data storage system containing the secondary volume has an indication of the degree of consistency of the secondary volume. The "individual tracks" count can be used to determine an appropriate recovery operation for the volume, and can be used to selectively restrict read/write access to the volume when the user decides that synchronization should be required for a write access. Moreover, direct write access to a secondary volume is denied if remote mirroring is not suspended. Mirrored data storage features in Col. 8 etc. are of some interest.

Applicant contends that the '935 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A9 U.S. Patent No. 5,893,098**

U.S. Patent No. 5,893,098 teaches a system for obtaining and collecting survey information from a plurality of computer users. More particularly, the '098 patent teaches a system for obtaining information from a plurality of computer users, comprising a

processing apparatus including an input mechanism via which a survey author may input data, and a survey authoring mechanism enabling construction of a survey questionnaire document including at least one question formulated from data input by the survey author, transmission mechanism for transmitting the survey questionnaire document to a plurality of respondent users and a processing apparatus including a collation mechanism arranged to receive transmissions from the transmission mechanism, to identify response documents with include responses to the at least one question from the plurality of respondent users and to load a database in accordance with the responses.

Applicant contends that the '098 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A10 U.S. Patent No. 5,970,467**

U.S. Patent No. 5,970,467 teaches an accurate market survey collection method. More particularly the '467 patent teaches a method for electronically accumulating market survey data from inherently interested Internet users or TV viewers. Various market survey questions can be disseminated to Internet users and TV viewers, and the answers are processed at a central location. In exchange for his answers, the responder receives free access to the Internet or cable TV for a predetermined amount of time.

Applicant contends that the '467 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A11 U.S. Patent No. 5,974,396**

U.S. Patent No. 5,974,396 teaches a method and system for gathering and analyzing consumer purchasing information based on product and consumer clustering relationships. More particularly the '396 patent teaches a method and system for gathering and analyzing customer and purchasing information permits a retailer or retail chain to process transactional information involving large numbers of consumers and consumer products. Product information is gathered that uniquely identifies a specific product by type and manufacturer and grouped into generic product clusters. Consumers are similarly

group into consumer clusters based on common consumer demographics and other characteristics. Consumer retail transactions are analyzed in terms of product and/or consumer clusters to determine relationships between the consumers and the products. Product, consumer, and transactional data are maintained in a relational database. Targeting of specific consumers with marketing and other promotional literature is based on consumer buying habits, needs, demographics, etc. A retailer queries the database using selected criteria, accumulates data from the database in response to that query, and makes prudent business and marketing decisions based on that response. Queried information from the database may be communicated to a printing subsystem for printing promotional literature directed to particular customers based on cluster information stored in the database.

Applicant contends that the '396 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A12 U.S. Patent No. 6,002,768**

U.S. Patent No. 6,002,768 teaches a distributed registration and key distribution system and method. More particularly the '768 patent teaches an online conference session management system includes computer sites associated with a conference session holder, a plurality of service providers and a plurality of conference session participants. The conference session holder and each service provider has a respective associated public/private key pair for a specified online conference session. Each service provider is provided with an active participant registration certificate that gives the service provider the authority to register participants of the specified conference session by providing those other service providers with respective active participant registration certificates. Each active participant registration certificate is digitally signed by either the conference session holder or one of the service providers using a private key of a public/private key pair unique to the conference session holder or respective service provider. Each active participant registration certificate includes the public key of the public/private key pair unique to the service provider whose authority to register participants is given by that active participant registration certificate. The service providers provide



participants of the specified conference session with passive participant registration certificates. Each passive participant registration certificate is digitally signed by a service provider using a private key associated with that service provider. A passive participant registration certificate is validated by verifying the certificate's digital signature with the public key associated with the service provider that provided the passive participant registration certificate, and then validating that service provider's active participant registration certificate.

Applicant contends that the '768 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A13 U.S. Patent No. 6,018,717**

U.S. Patent No. 6,018,717 teaches a method and apparatus for acquiring access using a fast smart card transaction. More particularly the '717 patent teaches a method for using a smart card to gain access through an access device upon payment of a value (V) is performed by first operatively coupling the card to the access device. The access device reads a first and second set of data from the card, and performs a first authentication process on the first set of data. Access is permitted if the first authentication process meets a required condition. Access is denied otherwise. If access is permitted, the second set of data is stored in the access device for further processing including a second authentication process which operates on the first and second sets of data.

Applicant contends that the '717 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A14 U.S. Patent No. 6,021,443**

U.S. Patent No. 6,021,443 teaches a system and method for transmission of data. More particularly the '443 patent teaches a system and method for data communication connecting on-line networks with on-line and off-line computers. The present system provides for broadcast of up to the minute notification centric data thereby providing an instant call to action for users who are provided with the ability to

instantaneously retrieve further detailed information. Information sources transmit data to a central broadcast server, which preprocesses the data for wireless broadcast. The notification centric portions of data are wirelessly broadcast to wireless receiving devices that are attached to computing devices. Upon receipt of the data at the computing device, the user is notified through different multimedia alerts that there is an incoming message. Wirelessly broadcasted URL's, associated with the data, are embedded in data packets and provide an automated wired or wireless connection back to the information source for obtaining detailed data.

Applicant contends that the '433 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**A15 U.S. Patent No. 6,021,200**

U.S. Patent No. 6,021,200 teaches a system for the anonymous counting of information items for statistical purposes, especially in respect of operations in electronic voting or in periodic surveys of consumption. More particularly the '200 patent teaches a system that includes a plurality of decision units, at least one verification unit, and at least one counting unit, the units being functionally and structurally separate from each other. Each decision unit includes means for producing a source information item and an identity information item, and means for enciphering this source information item in such a way as to render it essentially indecipherable by the verification unit but decipherable by the counting unit. The verification unit includes a file which includes the identities of the decision units, means for checking the identity of the decision unit from which an incoming message originates, and means for compiling an anonymous derived message which is essentially devoid of any identity information item decipherable by the counting unit. The counting unit includes means for receiving the derived messages from the verification unit, means for processing these messages to compile a statistic of the corresponding source information items, and generating a file of the statistics thus compiled.

Applicant contends that the '200 patent does not teach the claimed "associating the encrypted participant identification data, the response data, and the

demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**C1. Projects and Plans for James Black**

This document is a print out from an Internet site, and the discussion from the bottom of the first page to the end of second page concerns a distributed database for use in connection with a voting program on the Internet, all in conjunction with encryption for security.

From the date of the print out, it cannot be determined whether this constitutes "prior art," and in any case, Applicant contends that the print out does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**C2 Design for Distributed Database**

This document is a print out from an Internet site, and the discussion apparently relates to the above-mentioned "Projects for James Black."

From the date of the print out, it cannot be determined whether this constitutes "prior art," and in any case, Applicant contends that the print out does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**C3 Protocol On Secure Elections for Distributed Database**

This document is a print out from an Internet site, and the discussion apparently relates to the above-mentioned "Projects for James Black."

From the date of the print out, it cannot be determined whether this constitutes "prior art," and in any case, Applicant contends that the print out does not teach the claimed "associating the encrypted participant identification data, the response data, and the demographic data, respectively, to produce a demographic profile corresponding to an accumulation of the response data from encrypted identities."

**II. FEE**

The present Information Disclosure statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits and hence is believed

to be timely in accordance with 37 C.F.R. § 1.97(b). Accordingly, no fees are believed to be due in connection with the filing of this Information Disclosure Statement. However, should any fees be deemed necessary (except payment of the issue fee), the Commissioner is authorized to charge any deficiency or to credit any over payment to Deposit Account No. 50-0235.

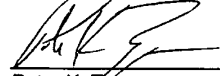
**III. SIGNATURE**

The patent attorney signs below based on information from the inventor's and the attorney's file.

Date: 18 April 2000

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Respectfully submitted,



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